IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1321 OF 2007

Mr.Naresh Balasaheb Ghodwinde. ...Applicant.

Versus

The State of Maharashtra ...Respondent.

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Mr.Ajit R. Pitale, Adv. for the Applicant.
Mr.V.B.Konde-Deshmukh, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 21st April, 2007.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned APP for the State.

2. The applicant is seeking anticipatory bail in Forest Crime No.H-45/2006-07 of Dahagaon Forest Range, Shahapur, Thane. The said case is under Section 26(1) of Indian Forest Act, 1927 and under Sections 9, 39, 51, 52 of Indian Wild Life (Protection) Act, 1972.

3. It is the prosecution case that the applicant along with three other accused persons

entered into protected forest area for hunting wild animals. All of them were travelling in a autorikshaw. The complainant chased the said vehicle; and two persons i.e. coaccused came to be arrested. The remaining persons ran away. It is the case of the prosecution that the applicant was amongst the persons who ran away. The role attributed to the applicant is that he was sitting on top of the autorikshaw.

4. Mr.Pitale, submitted that coaccused Rangya @ Dashrath Nagesh Kathode who was also sitting on top of autorikshaw, was granted anticipatory bail and the role of the applicant is similar to that of Rangya @ Dashrath Kathode.

5. The statement of Range Forest Officer does not implicate the present applicant. The role attributed to the applicant is similar to that of Rangya @ Dashrath Kathode. Hence, I am inclined to grant anticipatory bail to the present applicant.

6. In the event of arrest, the applicant - Naresh Balasaheb Ghodwinde to be released on bail

in the sum of Rs.30,000/- with one or two sureties to make up the said amount. The applicant shall report to Range Forest Officer of Dahagaon Forest Range, Shahapur, Thane for a period of one month starting from 23.4.2007 from 11:00 a.m. to 2:00 p.m., and thereafter once in a week till conclusion of the trial.

7. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)